

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

CARL D. GORDON,)	Civil Action No. 7:15cv00058
Plaintiff,)	
)	
v.)	ORDER
)	
GREGORY HOLLOWAY, et al.,)	By: Norman K. Moon
Defendants.)	United States District Judge

Plaintiff Carl D. Gordon filed a complaint pursuant to 42 U.S.C. § 1983. This matter is currently before me on defendants' motion to stay (Docket No. 29) and Gordon's motion for partial summary judgment (Docket No. 34). Defendants ask me to stay this matter because Gordon filed a complaint raising the same claims in the Circuit Court for Wise County, Virginia. The state court matter is currently pending on defendants' motion for complete summary judgment. To avoid duplication of litigation and the possibility of conflicting court decisions on the same claims, it is hereby **ORDERED** that defendants' motion to stay is **GRANTED** and Gordon's motion for partial summary judgment is **DISMISSED without prejudice**. Defendants are **DIRECTED** to notify the court within fourteen days of the resolution of the state court proceeding and to advise the court as to how the state court's resolution affects this matter. Gordon will have ten days thereafter to reply to defendants' response.

The Clerk is directed to send a copy of this order to the parties.

ENTER: This 18th day of March, 2016.


NORMAN K. MOON
UNITED STATES DISTRICT JUDGE